

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: February 12, 2008 Name: C. Noel Kaman Reg. No. 51,857 Signature: C. Noel Kaman

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appln. of: Brovelli, et al.

Appln. No.: 10/774,092

Filed: February 6, 2004

For: **METHOD OF AUGMENTING THE IMMUNE-MODULATORY ACTIVITY OF STANDARDIZED ECHINACEA PREPARATIONS**

Docket No: 3086/1734 (AM1150)

Examiner: Patricia A. Leith

Art Unit: 1655

TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

- ☒ Transmittal Letter (in duplicate); Amendment and Request for Reconsideration.
- ☒ Return Receipt Postcard.

Fee Calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 CFR § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	OR	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 105=			x \$210=	
First Presentation of Multiple Dep. Claim					+\$185=			+\$370=	
					Total	\$		Total	\$

Fee Payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____ for _____. A copy of this Transmittal is enclosed for this purpose.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

February 12, 2008

Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)

**BRINKS
HOFFER
GILSON
& LIONE**

Date of Deposit
C. Noel Kaman, Reg. No. 51,857

Name of applicant, assignee or
Registered Representative

Signature C. Noel Kaman

February 12, 2008

Date of Signature

Our Case No. 3086-1734

AM1150

In re Application of:

Brovelli et al.

Serial No. 10/774,092

Filing Date: February 6, 2004

For: METHOD OF AUGMENTING THE
IMMUNE-MODULATORY ACTIVITY
OF STANDARDIZED ECHINACEA
PREPARATIONS

Examiner Leith

Group Art Unit No. 1655

AMENDMENT AND REQUEST FOR RECONSIDERATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office action mailed December 13, 2007, please reconsider the rejection of the claims amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of the claims, which begins on page 2 of this paper.

Remarks / Arguments begin on page 5 of this paper.